UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ORDER OF REFERENCE

Check if previously referred

Dona	ld Acher	_		
		V.	CA No	o. <u>03-12099-PBS</u>
Fujits	u Netwo	rk Communications, Inc.	Crimir	nal Category
		_		es in the United States District Court for the udge Alexander for the following proceedings:
(A)		Referred for full pretrial case manage	gement, including all dis	spositive motions.
(B)	x	Referred for full pretrial case manag	gement, <u>not</u> including di	ispositive motions:
(C)		Referred for discovery purposes only	y.	
(D)	X	Referred for Report and Recommer	ndation on:	
		() Motion(s) for injunctive relief () Motion(s) for judgment on the pl () Motion(s) for summary judgmen () Motion(s) to permit maintenance () Motion(s) to suppress evidence (X) Motion to Compel Arbitration or, () Post Conviction Proceedings¹ See Documents Numbered:	nt e of a class action in the Alternative, to dis	
(E)		Case referred for ruling on Motion.	See Doc. No(s). 4, Mot	tion for Change in Venue.
(F)		Case referred for settlement.		
(G)		Service as a special master for hear filed herewith: () In accordance with Rule 53, F.R. () In accordance with 42 U.S.C. 20	.Civ.P.	report, subject to the terms of the special order
(H)		Special Instructions:		
Noven	nber 24,	<u>2003 </u>	By:	s/ Robert C. Alba
Date			•	Deputy Clerk
(Order o	of Referer	nce - 05/2003)		

¹ See reverse side of order for instructions

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ORDER OF REFERENCE

Check if previously referred

Dona	ld Acher	-		
		V.	CA No.	03-12099-PBS
Fujits	u Networ	k Communications, Inc.	Crimina	ll Category
		ith 28 U.S.C. §636 and the Rules for United States Machusetts, the above-entitled case is referred to Magis	-	
(A)		Referred for full pretrial case management, including	ıg all disp	positive motions.
(B)	X	Referred for full pretrial case management, not inclu	uding dis	positive motions:
(C)		Referred for discovery purposes only.		
(D)	X	Referred for Report and Recommendation on:		
		() Motion(s) for injunctive relief () Motion(s) for judgment on the pleadings () Motion(s) for summary judgment () Motion(s) to permit maintenance of a class action () Motion(s) to suppress evidence (X) Motion to Compel Arbitration or, in the Alternative () Post Conviction Proceedings 1 See Documents Numbered:	e, to disn	
(E)		Case referred for ruling on Motion. See Doc. No(s).	4, Motio	on for Change in Venue.
(F)		Case referred for settlement.		
(G)		Service as a special master for hearing, determinate filed herewith: () In accordance with Rule 53, F.R.Civ.P. () In accordance with 42 U.S.C. 2000e-5(f)(5)	on and re	eport, subject to the terms of the special order
(H)		Special Instructions:		
Novem	nber 24, 2	2003	By:	s/ Robert C. Alba
Date	.,		_,.	Deputy Clerk
(Order o	of Reference	ce - 05/2003)		

¹ See reverse side of order for instructions

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ORDER OF REFERENCE

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Donald Acher				
		V.	CA No.	03-12099-PBS
<u>Fujits</u>	su Networ	k Communications, Inc.	Crimin	al Category
		ith 28 U.S.C. §636 and the Rules for United States M chusetts, the above-entitled case is referred to Magi	-	
(A)		Referred for full pretrial case management, includi	ng all dis	positive motions.
(B)	X	X Referred for full pretrial case management, <u>not</u> including dispositive motions:		spositive motions:
(C)		Referred for discovery purposes only.		
(D)	X	Referred for Report and Recommendation on:		
		 () Motion(s) for injunctive relief () Motion(s) for judgment on the pleadings () Motion(s) for summary judgment () Motion(s) to permit maintenance of a class acti () Motion(s) to suppress evidence (X) Motion to Compel Arbitration or, in the Alternati () Post Conviction Proceedings¹ See Documents Numbered: 	ve, to dis	
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Noven Date	nber 24, 2	003	Ву:	s/ Robert C. Alba Deputy Clerk
(Order o	of Referenc	ce - 05/2003)		

¹ See reverse side of order for instructions

INSTRUCTIONS FOR POST-CONVICTION PROCEEDINGS

In accordance proceeding is r		ules governing §2254 and §2255 cases the magistrate judge to whom this post-conviction shall:
	Make	a recommendation as to summary dismissal under Rule 4 of the Rules for §2254 and §2255 cases
	Appoi	nt counsel if the interests of justice so require
	Order	issuance of appropriate process, if necessary
		a hearing to determine whether or not an evidentiary hearing must be held and make a mendation to the district judge
	shall h	magistrate judge expects to recommend that an evidentiary hearing be held, the magistrate judge hold a pretrial conference for the purpose of narrowing the issue to be tried and submit a memo to the t judge setting forth:
	(a)	a concise summary of the ultimate facts claimed by (1) petitioner (2) respondent (3) other parties;
	(b)	the facts established by the pleadings or by stipulations of the parties which may be incorporated by reference;
	(c)	any jurisdictional questions;
	(d)	issues of law, including evidentiary questions;
	(e)	the probable length of the evidentiary hearing.
-		ay also require the parties to submit the names of witnesses whom they intend to produce, and to and submit a schedule of, exhibits which they expect to offer in evidence.
		any issue concerning which the magistrate judge does not intend to recommend an evidentiary ng, the magistrate judge shall submit a memo which shall:
	(a)	identify the relevant portions of the record or transcript of prior proceedings;
	(b)	summarize the relevant facts;
	(c)	summarize the parties' contentions of law with appropriate citations;
	(d)	state the recommendations as to the disposition of such contentions of law, and the grounds therefore.

(Postconv.ins - 09/92)

(Order of Reference - 1/20/03)

INSTRUCTIONS FOR POST-CONVICTION PROCEEDINGS

In accordance with proceeding is ref		es governing §2254 and §2255 cases the magistrate judge to whom this post-conviction all:	
	Make a recommendation as to summary dismissal under Rule 4 of the Rules for §2254 and §2255 cases		
	Appoint counsel if the interests of justice so require		
	Order issuance of appropriate process, if necessary		
	Hold a hearing to determine whether or not an evidentiary hearing must be held and make a recommendation to the district judge		
	If the magistrate judge expects to recommend that an evidentiary hearing be held, the magistrate judge shall hold a pretrial conference for the purpose of narrowing the issue to be tried and submit a memo to the district judge setting forth:		
	(a)	a concise summary of the ultimate facts claimed by (1) petitioner (2) respondent (3) other parties;	
	(b)	the facts established by the pleadings or by stipulations of the parties which may be incorporated by reference;	
	(c)	any jurisdictional questions;	
	(d)	issues of law, including evidentiary questions;	
	(e)	the probable length of the evidentiary hearing.	
	•	y also require the parties to submit the names of witnesses whom they intend to produce, and to d submit a schedule of, exhibits which they expect to offer in evidence.	
		by issue concerning which the magistrate judge does not intend to recommend an evidentiary , the magistrate judge shall submit a memo which shall:	
	(a)	identify the relevant portions of the record or transcript of prior proceedings;	
	(b)	summarize the relevant facts;	
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(Postconv.ins - 09/92)

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INSTRUCTIONS FOR POST-CONVICTION PROCEEDINGS

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	Order issuance of appropriate process, if necessary		
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(Postconv.ins - 09/92)

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